

APPENDIX

AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently amended): An immunogenically active component useful for preventing or ameliorating equine protozoal myoencephalitis infection or disease which comprises merozoite antibody-inducing chemically-inactivated *Sarcocystis neurona* cells, ~~tachyzoite antibody inducing inactivated *Neospora hughesi* cells, a merozoite antibody inducing antigen derived from said *Sarcocystis neurona* cells, a tachyzoite antibody inducing antigen derived from said *Neospora hughesi* cells, plasmid DNA obtained from a horse diagnosed to have equine protozoal myoencephalitis that is derived from *Sarcocystis neurona* or *Neospora hughesi*, or a mixture thereof.~~

Claim 2 (Canceled).

Claim 3 (Canceled).

Claim 4 (Currently amended): The component according to claim 1 wherein said active component ~~comprising merozoite antibody inducing, inactivated *Sarcocystis neurona* cells, tachyzoite antibody inducing inactivated *Neospora hughesi* cells or the mixture of the inactivated *Sarcocystis neurona* cells and the inactivated *Neospora hughesi* cells~~ is present in sufficient quantity to provide at least 1×10^4 inactivated cells per dosage unit form.

Claim 5 (Previously presented): A vaccine composition for the prevention or amelioration of equine protozoal myoencephalitis infection or disease in equines which comprises a therapeutically effective amount of the immunogenically active component of claim 1, a pharmacologically acceptable carrier and optionally an immunogenically stimulating adjuvant.

Claim 6 (Currently amended): The vaccine composition according to claim 5 wherein said active component ~~comprising merozoite antibody inducing, inactivated *Sarcocystis neurona*~~

~~cells, tachyzoite antibody inducing inactivated *Neospora hughesi* cells or the mixture of the inactivated *Sarcocystis neurona* cells and the inactivated *Neospora hughesi* cells is present in sufficient quantity to provide at least 1×10^4 inactivated cells per dosage unit form.~~

Claim 7 (Currently amended): The vaccine composition according to claim 5 wherein said active component ~~comprising merozoite antibody inducing, inactivated *Sarcocystis neurona* cells, tachyzoite antibody inducing inactivated *Neospora hughesi* cells or the mixture of the inactivated *Sarcocystis neurona* cells and the inactivated *Neospora hughesi* cells is present in sufficient quantity to provide at least 1×10^6 inactivated cells per dosage unit form.~~

Claim 8 (Currently amended): The vaccine composition of claim 5 wherein said active component ~~comprising merozoite antibody inducing inactivated *Sarcocystis neurona* cells, the antigen derived from said cells, the plasmid DNA obtained from the horse diagnosed to have equine protozoal myoencephalitis derived from said cells or the mixture thereof~~ is present in an amount sufficient to produce a merozoite inducing serum neutralizing antibody response which has a neutralizing effect on *Sarcocystis neurona* merozoites.

Claim 9 (Canceled).

Claim 10 (Previously presented): The vaccine composition according to claim 5 wherein the immunogenically stimulating adjuvant is present at about 1% to 50% by weight.

Claim 11 (Previously presented): The vaccine composition according to claim 10 wherein said adjuvant is present at about 5% to 20% by weight.

Claim 12 (Canceled).

Claim 13 (Original): The vaccine composition according to claim 12 wherein said adjuvant is a metabolizable oil.

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Claim 14 (Original): The vaccine composition according to claim 13 wherein the pharmacologically acceptable carrier is a balanced salt solution.

Claims 15-17 (Canceled).

Claim 18 (Withdrawn - Previously presented): A method for the prevention or amelioration of equine protozoal myoencephalitis disease in equines which comprises administering to said equine the immunogenically active component of claim 1.

Claim 19 (Withdrawn - Previously presented): A method for the prevention or amelioration of equine protozoal myoencephalitis disease in equines which comprises administering to said equine a therapeutically effective amount of the vaccine composition of claim 5.

Claim 20 (Canceled).

Claim 21 (Withdrawn - Previously presented): The method according to claim 19 wherein said vaccine is administered parenterally.

Claim 22 (Withdrawn - Previously presented): The method according to claim 19 wherein said vaccine is administered intramuscularly.

Claims 23-25 (Canceled).

Please insert new Claims 26-29:

Claim 26 (New): An immunogenically active component useful for preventing or ameliorating equine protozoal myoencephalitis infection or disease which comprises a merozoite antibody-inducing antigen derived from the *Sarcocystis neurona* isolate designated SNG, having ATCC Accession No. PTA-2972.

Claim 27 (New): A vaccine composition for the prevention or amelioration of equine protozoal myoencephalitis infection or disease in equines which comprises a therapeutically effective amount of the immunogenically active component of claim 26, a pharmacologically acceptable carrier and optionally an immunogenically stimulating adjuvant.

Claim 28 (New): A method for the prevention or amelioration of equine protozoal myoencephalitis disease in equines which comprises administering to said equine the immunogenically active component of claim 26.

Claim 29 (New): A method for the prevention or amelioration of equine protozoal myoencephalitis disease in equines which comprises administering to said equine a therapeutically effective amount of the vaccine composition of claim 27.